

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BISNOW LLC,

Plaintiff,

-v-

THOMAS LOPEZ-PIERRE,

Defendant.

20 Civ. 3441 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Plaintiff Bisnow LLC (“Bisnow”) brought this action on May 2, 2020, by the filing of the Complaint and Summons. Dkt. 1. A copy of the Complaint and Summons were served on defendant Thomas Lopez-Pierre on May 8, 2020, and again on May 12, 2020. Dkt. 6.


On August 6, 2020, Bisnow obtained a clerk’s certificate of default against Lopez-Pierre. Dkt. 13. On August 14, 2020, Bisnow moved for a default judgment against Lopez-Pierre. Dkt. 15. On August 17, 2020, the Court issued an order to show cause. Dkt. 20. In that order, the Court observed that Bisnow’s motion papers were in good order and notified the parties that, in light of the COVID-19 public health emergency, it intended to resolve Bisnow’s motion on the papers. *Id.* The Court also directed Lopez-Pierre to file any opposition to Bisnow’s motion through the Court’s electronic filing system by September 4, 2020, at 2:30 p.m., and directed Bisnow to serve the order on Lopez-Pierre and file a proof of service by August 21, 2020. *Id.*

On August 21, 2020, Bisnow filed an affidavit proving service of the Court’s August 17, 2020 order on Lopez-Pierre. Dkts. 21–22. Lopez-Pierre has failed to appear or in any manner object to Bisnow’s motion.

The Court has reviewed Bisnow's motion for default judgment, Dkt. 15, the accompanying declarations Judd Burstein, Esq., Peter B. Schalk, Esq., and Chris Bushnell, and the exhibits attached thereto, Dkts. 16–18, as well as Bisnow's memorandum of law in support of its motion for default judgment, Dkt. 19, pursuant to Federal Rule of Civil Procedure 55(b). Because proof of service has been filed, Lopez-Pierre has not answered the complaint and the time for answering the complaint has expired, and Lopez-Pierre failed to contest entry of a default judgment by the appointed date and time, the Court enters a default judgment as to liability for Bisnow against Lopez-Pierre.

The Court, by separate order, will commission an inquest into damages. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 15.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: September 28, 2020
New York, New York